8

STATE OF HAWAII CIRCUIT COURT OF THE FIFTH CIRCUIT	**JUDGMENT** **GUILTY CONVICTION AND SENTENCE** ☐ Young Adult Defendant NOTICE OF ENTRY	CASE NUMBER CR. NO. 89-0111

STATE OF HAWAII VS (DEFENDANT)
DAVID MICHAEL BALDAINO

POLICE REPORT NUMBER

DEFENDANT'S PLEA
☐ GUILTY ☐ NOT GUILTY ☒ NO CONTEST ☐ JURY VERDICT ☐ JUDGE FINDINGS

ORIGINAL CHARGE(S)	CHARGE TO WHICH DEFENDANT PLEAD
Sexual Assault in the First Degree	Sexual Assault in the Third Degree

DEFENDANT IS CONVICTED AND FOUND GUILTY OF

SEXUAL ASSAULT IN THE THIRD DEGREE

FINAL JUDGMENT AND SENTENCE OF THE COURT

(1) Defendant is committed to the Director of the Department of Corrections for five (5) years. Defendant to serve mandatory minimum term or imprisonment for one (1) year and eight (8) months without the possibility of parole. Mittimus to issue forthwith.

(2) Defendant shall pay restitution in the amount of
Manner of payment to be determined by the Director of the Department of Corrections.

☒ The Defendant entered the plea(s) indicated. It is adjudged that the Defendant has been convicted of and is guilty of the offense stated above, committed in the manner and form set forth in the charge.

☐ The court finds that the Defendant comes within the classification of a young adult defendant under HRS Section 667 and that in lieu of any other sentence of imprisonment authorized by law, defendant should be sentenced to a special indeterminate term of imprisonment. The court is of the opinion that such special term is adequate for defendant's correction and rehabilitation and will not jeopardize the protection of the public.

THE JUDGMENT AND SENTENCE OF THIS COURT IS AS STATED HEREIN.

DATE SIGNED	JUDGE	SIGNATURE
12/8/89	George M. Masuoka	George M. Masuoka

NOTICE OF ENTRY

THIS JUDGMENT HAS been ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES.

I do hereby certify that this is a full, true and correct copy of the original on file in this office.

Clerk, Circuit Court, Fifth Circuit

DATE	CLERK
12/8/89	Donna C Bragg

DISTRIBUTION: ☐ ORIG. FILE, ☐ PROS., ☐ DEF., ☐ APD, ☐ POLICE

FORM NO. 000119 3/84

JUDGMENT GUILTY CONVICTION AND SENTENCE (YOUNG ADULT DEFENDANT)

STATE OF HAWAI`I CIRCUIT COURT OF THE FIRST CIRCUIT	JUDGMENT OF CONVICTION AND SENTENCE NOTICE OF ENTRY	CASE NUMBER: Cr. No. 05-1-0662

STATE VS. (DEFENDANT) DAVID BALDAINO	DATE OF HEARING: JUNE 7, 2006	REPORT NUMBER(S):

DEFENDANT'S PLEA: GUILTY	CHANGE OF PLEA
ORIGINAL CHARGE(S): COUNT 1: SEXUAL ASSAULT IN THE 1ST DEGREE (§707-730(1)(a), H.R.S.) COUNT 2: KIDNAPPING (§707-720(1)((d) and/or 707-720(1)(e), H.R.S.) COUNT 3: BURGLARY IN THE 1ST DEGREE (§708-810(1)(c), H.R.S.)	CHARGE(S) TO WHICH DEFENDANT PLED GUILTY OR NO CONTEST: COUNT 1: SEXUAL ASSAULT IN THE 1ST DEGREE (§707-730(1)(a), H.R.S.) COUNT 2: KIDNAPPING (§707-720(1)((d) and/or 707-720(1)(e), H.R.S.) COUNT 3: BURGLARY IN THE 1ST DEGREE (§708-810(1)(c), H.R.S.)
DEFENDANT IS CONVICTED AND FOUND GUILTY OF: COUNT 1: SEXUAL ASSAULT IN THE 1ST DEGREE (§707-730(1)(a), H.R.S.) COUNT 2: KIDNAPPING (§707-720(1)((d) and/or 707-720(1)(e), H.R.S.) COUNT 3: BURGLARY IN THE 1ST DEGREE (§708-810(1)(c), H.R.S.)	PHOTOGRAPH (If Available) / FINGERPRINT (If Available)

I do hereby certify that this is a full, true and correct copy of the original on file in this office.
Clerk, Circuit Court, First Circuit

FINAL JUDGMENT AND SENTENCE OF THE COURT:

INCARCERATION:
COUNTS 1 & 2: TWENTY (20) YEARS
COUNT 3: TEN (10) YEARS, WITH CREDIT FOR TIME SERVED

SENTENCE TO BE SERVED CONCURRENTLY

MITTIMUS TO ISSUE IMMEDIATELY

SEX OFFENDER

CRIME VICTIM COMPENSATION FEE: $100.00
RESTITUTION: $752.65

CRIME VICTIM COMPENSATION FEE AND RESTITUTION PAYABLE AT THE RATE OF 10% OF ANY PRISON EARNINGS AND SHALL BE COLLECTED BY THE DEPARTMENT OF PUBLIC SAFETY AND/OR THE HAWAII PAROLING AUTHORITY.

Defendant shall provide specimen samples and print impressions as required by H.R.S. Chap. 844D.

DATE JUNE 7, 2006	JUDGE RICHARD K. PERKINS SIGNATURE Richard K. Perkins

FIRST CIRCUIT COURT
STATE OF HAWAII
FILED
June 7, 2006
11:00 o'clock A.M.
Miki Sampaio MS
Clerk, Eighth Division

NOTICE OF ENTRY

THIS JUDGMENT HAS BEEN ENTERED AND COPIES MAILED OR DELIVERED TO ALL PARTIES.

DATE JUNE 7, 2006	CLERK MIKI SAMPAIO MS

[ ] ORIGINAL FILE [ ] DPA [ ] DEFENSE-Debra K. Loy [ ] PROBATION [ ]POLICE [ ] HCJDC [ ] PUBLIC SAFETY [ ] HPA [ ] CASHIERS